

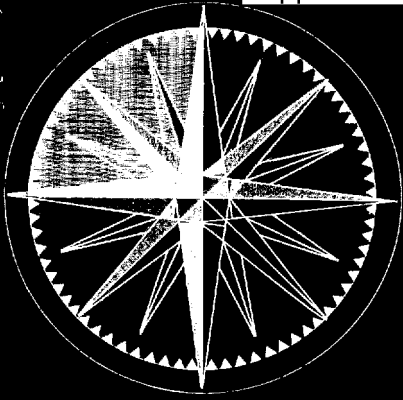
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Approved For Release 2008/07/08 : CIA-RDP79-00927A004900120002-6

23 July 1965

OCI No. 0299/65A

Copy No. **53**



# SPECIAL REPORT

THE UNITED NATIONS FINANCING AND PEACEKEEPING PROBLEMS

CENTRAL INTELLIGENCE AGENCY  
OFFICE OF CURRENT INTELLIGENCE

State Dept. review completed

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GROUP 1 Excluded from automatic  
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**THE UNITED NATIONS FINANCING AND PEACEKEEPING PROBLEMS**

The financial and peacekeeping problems which have hamstrung the 19th session of the UN General Assembly are still far from resolution. The resulting paralysis of the assembly in a year of deepening international crises has caused many members to fear for the future of the United Nations as an effective world organization.

As the date 1 September for reconvening the assembly approaches, the members are increasingly anxious that its work proceed normally, and there is no longer majority support for any attempt to deprive financially delinquent members of their assembly vote by enforcing Article 19. However, even if the Article 19 issue is papered over and the UN's solvency restored by voluntary contributions, the basic constitutional question of the General Assembly's right to initiate peacekeeping operations will remain to plague the UN long after the 19th General Assembly is ended.

Background

The drafters of the UN Charter intended that the Security Council should have pre-eminence in peacekeeping matters and that its permanent members should have the special responsibility for maintaining the peace. The falling out of the Allied powers after World War II, the excessive use of the veto by the Soviet Union, and the flood of new members from the Afro-Asian bloc all served to bring the General Assembly to the fore as the only effective alternative when the Council was deadlocked. The Uniting for Peace resolution, voted in 1950 by the General Assembly, authorized it to undertake the peacekeeping role in certain circumstances and provided the sanction for such later assembly-sponsored operations as the UN Emergency Force in

Palestine (UNEF) in 1956 and the UN Congo Operation (ONUC) in 1960.

France has refused to pay for ONUC and the Soviet Union refuses to pay for both ONUC and UNEF on the ground that they were illegally authorized. They have persisted in this refusal despite the advisory opinion of the International Court of Justice in 1962 that the expenses for these operations fell within the regular assessments of UN members, and despite the fact that the UN has been brought close to bankruptcy.

Both France and the USSR are now two years in arrears and must, according to the letter of Article 19, either pay or lose their voting rights in the General Assembly. When

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ARTICLE 19 OF THE UNITED NATIONS CHARTER

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

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the 19th assembly met last December, however, it evaded the issue of voting rights by taking no votes on issues of substance. When the assembly finally adjourned in February, a last-minute attempt by Albania to break the no-voting moratorium and provoke a showdown was defeated only by US agreement to consider the vote to adjourn a "procedural" one.

Since then, the whole question has rested with the 33 members of a Special Committee on Peacekeeping Operations established by the assembly. After numerous meetings, however, matters stand about as they did when the committee was set up. The meetings served as another vehicle for Soviet propaganda attacks on US policies in Vietnam. Few if any new ideas emerged from either the open sessions or the informal private consultations.

In order to meet its 15 June deadline for a report to the General Assembly, the Committee of 33 merely drew up a

report calling for "normalization" of the assembly's work and restoration of the UN's solvency through voluntary contributions. It also asked for more time in which to devise a formula for future peacekeeping. The committee has now adjourned until August, evidently hoping that one of the big powers will come up with something which would break the impasse and create a better atmosphere for tackling the long-range problem.

Article 19

In the present situation it is the prevailing view of the UN membership that the most urgent tasks are to pay off past debts and to avoid any new confrontation. The majority of members has no more stomach now than last fall for threats to deprive the USSR and France of their votes if they do not pay up. Many genuinely fear that if the Soviets are in fact so treated they will pull out and perhaps bring about the demise of the UN.

The Afro-Asians in particular have diligently sought to avoid a confrontation. Last December they proposed a plan whereby past debts

RESOLUTION OF THE GENERAL ASSEMBLY ON THE QUESTION OF THE "UNITING FOR PEACE" RESOLUTION

The General Assembly...

1. Resolves that if the Security Council, because of the lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of peace and security . . . the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to members for collective measures including, in the case of a breach of the peace or act of aggression, the use of armed force when necessary....

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would be settled by voluntary contributions and Article 19 would not be invoked. This plan was approved by the Soviets who have since urged that this is the only possible solution. An Ethiopian resolution presented to the Committee of 33 is in essence the Afro-Asian plan. Although this resolution has not been voted on in the committee, it remains the most popular solution proposed to date.

Many members feel that if voluntary contributions are sufficient, the question of the applicability of Article 19 can be bypassed. This view and the US opposition to the Ethiopian plan led the British and the Scandinavians to open their campaign last month for donations by pledging almost \$18 million over and above regular annual assessments. They hope that other developed countries will soon follow suit in whittling away at the UN's deficit of over \$108 million.

This resort to "passing the tincup," however, may not suffice. The response has come mainly from members of the Atlantic community--excepting, of course, France. Some nations such as Italy are reluctant to make a contribution until confident the Soviet and French contributions will be sizable ones. The Soviets, who are very much interested in the amount of the donation the United States will make, say that they will make a

significant contribution only when assured that Article 19 will not be invoked. It is doubtful that the French will contribute at all as long as no formula for the future has been worked out.

If the Soviets refuse to make a voluntary contribution until the US gives in on Article 19, then the US is likely to face increasing pressures in September to do just that. Canada, for example, is one of the members that feels Article 19 is "dead," and President Quaison-Sackey of the 19th General Assembly claims that, if the US would only agree to remove the Article 19 question, the Soviets would contribute a significant amount.

#### Future Peacekeeping Operations

Even if the problem of past debts were alleviated by voluntary contributions, there would be still other issues to settle. The constitutional relationship between the General Assembly and the Security Council with regard to peacekeeping matters would need to be clearly defined, with agreement reached on the crucial question of ultimate authority for the initiation of peacekeeping operations, and decisions taken on how these operations are to be financed.

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## UNITED NATIONS CHARTER PROVISIONS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

### ROLE OF THE GENERAL ASSEMBLY

#### Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

#### Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendations with regard to that dispute or situation unless the Security Council so requests.

#### Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

### SHARED JURISDICTION

#### Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

#### Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

#### Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.
2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purpose of the dispute, the obligations of pacific settlement provided in the present Charter.
3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

#### Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.
2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.
3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

### SECURITY COUNCIL'S ROLE

#### Chapter VII - Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression

#### Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

#### Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

#### Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

#### Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

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The Committee of 33 has scarcely dealt with these problems, feeling that they might be left in limbo for awhile. The only significant effort toward working out an acceptable formula was a plan offered by Secretary General Thant which in effect only served to point up the wide divergence of views.

Thant's proposals, based on ideas of the Norwegian delegate Nielson and of Quaison-Sackey, center on the so-called "shuttle procedure." If the Security Council is unable to act on a matter of international peace and security, the General Assembly could take it up as provided for in the Uniting for Peace resolution. If a two-thirds majority of the assembly favored a peacekeeping operation and the Security Council still failed to act, then the assembly could itself authorize the operation.

The proponents of the plan believe that recommendations supported by a large majority of the UN's members would tend to be of sufficient weight to push the Security Council into taking action. It is questionable, however, to say the least, that France and the Soviet Union, for example, would in fact change their votes on questions of vital national interest because of pressure from the General Assembly.

On less important questions, however, the plan does have a feature that might incline such countries to less rigid postures. This feature would permit a permanent member of the Security Council to opt out of paying any share

of the expense. Members thus assured of exemption from financial liability could choose abstention as an attractive alternative to paralysis of the Security Council by outright veto of an important peacekeeping matter.

Despite the opting-out privileges of permanent Security Council members, every effort would be made to maintain the principle of collective UN responsibility in future financing. However, a scale of assessments would be worked out with those states which have requested a peacekeeping action or have a special interest in the operation.

Reactions and Other Proposals

Recriminations over events in Vietnam and the Dominican Republic blocked serious consideration of Thant's plan when it was presented, but support for it in any case was not strong. Soviet Ambassador Fedorenko charged that the proposals represented only the views of the West and reiterated that the Security Council should have sole responsibility in the field of peacekeeping. He did add, however, that if the Security Council failed to act on a peacekeeping issue then "nothing can prevent the General Assembly from considering the whole question anew." Soviet officials at the UN subsequently made it clear that this represented no change in the standard Soviet position that the power of the General Assembly for peacekeeping is limited to recommendations.

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Although the Soviets have concentrated their discussions on past debts they have come forth with one proposal for the future--to strengthen Article 43 of the Charter. This article calls on members to make military forces and facilities available to the Security Council for the purpose of maintaining peace and security under the enforcement measures of Chapter 7. By introducing this idea, the Soviets strengthen not only their argument that the Security Council should have exclusive jurisdiction, but also their claim that "socialist" contingents should be included in future peacekeeping forces. The Soviets ruled out participation by permanent members of the Security Council.

The French, who have endorsed the Soviet proposal on Article 43, also rigidly maintain that the Security Council should have exclusive power to authorize and finance a peacekeeping operation. They would permit the assembly to make recommendations only before the Security Council had discussed a question or after it had failed to reach a decision. This position seems motivated primarily by fear of the numerical strength of the Afro-Asians in the General Assembly, which the French would restrict to a forum for the expression of international public opinion. Paris concedes, however, that the General Assembly should have a voice in assessing peacekeeping funds and suggests that a special financing committee in that body be set up. The French expect that voluntary and compulsory assessments by a special scale would be used.

Many West European countries favor some sort of plan that would allow the General Assembly the right to authorize peacekeeping operations after going through the shuttle procedure. They also favor automatic opting-out for a permanent member, a special scale of assessments, and the earmarking of troops for Security Council use as implied in the Soviet suggestion.

The Afro-Asians naturally contend that the General Assembly should retain an important role in peacekeeping operations. These countries are anxious to exert the power and influence their increased membership in the United Nations gives them in the international arena. Even though Charter amendments will soon give the Afro-Asians increased representation in the Security Council itself, they still have reservations about a body which will be dominated by the big five. They accordingly favor some sort of a plan which includes the shuttle procedure, but they oppose any proposals for opting-out by permanent members of the council. Such a privilege for the major powers would mean a larger financial burden for the smaller nations and would be contrary to the principle of collective responsibility, according to the Afro-Asians.

Other proposals which have been advanced go so far as to suggest that the Charter be amended and adapted to the "political realities of this age." The Brazilian delegate, for example, has suggested the need for a clearer distinction between

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"enforcement measures" which are the exclusive jurisdiction of the Security Council under Chapter 7 and "peacekeeping operations" of Chapter 6 in which the General Assembly now has the powers of discussion and recommendation. To achieve this, Brazil has suggested in the Committee of 33 that a new chapter entitled "peacekeeping operations" be inserted in the Charter. It would provide for peacekeeping operations by military contingents designated in advance by medium and small powers and undertaken in response to and within the states which request them.

In lieu of revising the Charter, Ireland suggested recently that the Uniting for Peace resolution be modified. It proposes that the resolution not be implemented unless supported by two thirds of the members including at least two of the permanent council members. Financing would be by special scale: 5 percent for less developed nations, 25 percent for developed nations other than permanent members, and 70 percent for those permanent members who vote for the operations.

Outlook

There is widespread apprehension among the membership of the UN that if the upcoming General Assembly session is like the last one, it could be disastrous for the organization. The appeal for voluntary contributions will ease the financial situation, but it is uncertain whether the

USSR and France will contribute. If they do, it is doubtful that they will contribute enough so that the applicability of Article 19 would not be raised. Majority sentiment in the General Assembly is for nonenforcement of this article of the Charter for the sake of averting the sort of showdown that could damage the UN beyond durable repair.

On the deeper constitutional question of authority over peacekeeping operations, it appears likely that the General Assembly will have to give up some of the muscle it acquired under the Uniting for Peace resolution. Unless the big nations agree to some form of shuttle procedure to pacify the small nations, then exclusive jurisdiction over peacekeeping operations will probably revert to the Security Council. Unless the members can agree on a special scale of assessments, such operations may have to be financed by voluntary contributions.

The earmarking of national troops for UN use could offer some possibilities for the longer term future. Canada, the Scandinavian countries, and some of the neutrals have shown increasing interest lately in this approach to the problem of providing the UN with readily available forces, and the recent Soviet references to Article 43 may lend some encouragement to this trend.

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This trend would not necessarily eventuate in a "permanent peace force" since the obstacles to its creation seem as formidable as ever. The emergence of regional forces--such as that now contemplated in the Organization of American States--is a possibility, but it is a moot point that they can substitute for UN peacekeeping operations without detracting from the ef-

fectiveness of the world organization.

Should the difficult problems associated with UN peacekeeping prove intractable, there are those authorities who believe that the world organization could still play a useful role in keeping the peace by exploiting more fully the opportunities to conciliate and mediate.

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